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Case No. 2:18-cv-00266-GMN-PAL

ORDER

On August 30, 2018, Gonzales filed a motion for appointment of counsel (ECF No. 17). This is Gonzales' second such motion; the Court denied his first in the order entered on August 20, 2018 (ECF No. 16). "Indigent state prisoners applying for habeas corpus relief are not entitled to appointed counsel unless the circumstances of a particular case indicate that appointed counsel is necessary to prevent due process violations." *Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir. 1986) (citing *Kreiling v. Field*, 431 F.2d 638, 640 (9th Cir. 1970) (per curiam)). The Court may, however, appoint counsel at any stage of

1 the proceedings "if the interests of justice so require." See 18 U.S.C. § 3006A; see also
2 Rule 8(c), Rules Governing § 2254 Cases; *Chaney*, 801 F.2d at 1196. The Court
3 determines that appointment of counsel is not warranted in this case, especially in light
4 of the possible basic procedural shortcomings of this action.

5 On August 30, 2018, Gonzales also filed a motion (ECF No. 18) in which he
6 requests that the Court provide him with copies of documents filed in this case. Gonzales
7 informs the Court that he had given his file to another prisoner, who was assisting him
8 with the case, and the documents have become unavailable to Gonzales because the
9 other prisoner has been transferred to another prison. Good cause appearing, the Court
10 will grant this motion, and will direct the Clerk of the Court to send certain documents from
11 the file to Gonzales.

12 **IT IS THEREFORE ORDERED** that the Petitioner's Motion to Appoint Counsel
13 (ECF No. 17) is **DENIED**.

14 **IT IS FURTHER ORDERED** that Petitioner's "Motion in Limine" (ECF No. 18) is
15 **GRANTED**. The Clerk of the Court is directed to send copies of the following documents
16 to the Petitioner:

- 17 - Petition for Writ of Habeas Corpus (ECF No. 1);
- 18 - Order filed February 14, 2018 (ECF No. 3);
- 19 - Notice of Appearance (ECF No. 4);
- 20 - Motion to Dismiss (ECF No. 7);
- 21 - Exhibits in Support of Motion to Dismiss (ECF Nos. 8, 9);
- 22 - Order filed May 22, 2018 (ECF No. 12);
- 23 - Response to Motion to Dismiss (ECF No. 13);
- 24 - Reply in Support of Motion to Dismiss (ECF No. 14); and
- 25 - Order entered August 20, 2018 (ECF No. 16).

26 DATED THIS 11 day of September, 2018.

27 
28 GLORIA M. NAVARRO,
CHIEF UNITED STATES DISTRICT JUDGE